

ORDINANCE NO. 12-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a utility and drainage easement; that the applicant has represented to the City of Huntsville that Northbrook, LLC, is the owner of the property across which said easement lies; that said easement or portion being vacated is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation, hereinafter referred to as "Grantor", in consideration of the sum of TEN DOLLARS (\$10.00), in hand paid to it by **NORTHBROOK, LLC**, an Alabama limited liability company, hereinafter referred to as "Grantee", and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim and convey unto the said Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

ALL THAT PART OF LOT 138 OF RIVER RIDGE PHASE IV, A RESUBDIVISION OF TRACT C OF RIVER RIDGE, PHASE III (DOC#20100429000218400), A RESUBDIVISION OF TRACT B OF RIVER RIDGE, PHASE II A (DOC#20081202000741254) AS RECORDED AS DOCUMENT NUMBER 20120430000261870 IN THE PROBATE RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER (THE SOUTHERNMOST CORNER) OF SAID LOT 138; THENCE, ALONG THE SOUTH BOUNDARY OF SAID LOT, NORTH 68 DEGREES 55 MINUTES 31 SECONDS EAST 42.94 FEET; THENCE, INTO SAID LOT, NORTH 19 DEGREES 32 MINUTES 05 SECONDS WEST 7.50 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE, FROM THE POINT OF BEGINNING, CONTINUE INTO SAID LOT 138, NORTH 19 DEGREES 32 MINUTES 05 SECONDS WEST 78.25 EAST; THENCE, NORTH 37 DEGREES 17 MINUTES 25 SECONDS EAST 22.26 FEET TO THE INTERSECTION OF THE EASTERLY BOUNDARY OF AN EXISTING 100-FOOT UTILITY AND DRAINAGE EASEMENT AND THE SOUTHEASTERLY BOUNDARY OF AN EXISTING 10-FOOT UTILITY AND DRAINAGE EASEMENT; THENCE, ALONG THE EASTERLY BOUNDARY OF THE 100-FOOT U. & D. EASEMENT, SOUTH 19 DEGREES 19 MINUTES 41 SECONDS EAST 89.93 FEET TO THE NORTHERLY BOUNDARY OF AN EXISTING 7.5-FOOT U. & D. EASEMENT; THENCE, SOUTH 68 DEGREES 55 MINUTES 25 SECONDS WEST 18.31 FEET TO THE POINT OF BEGINNING, CONTAINING 1552 SQUARE FEET, MORE OR LESS.

and,

ALL THAT PART OF LOT 139 OF RIVER RIDGE PHASE IV, A RESUBDIVISION OF TRACT C OF RIVER RIDGE, PHASE III (DOC#20100429000218400), A RESUBDIVISION OF TRACT B OF RIVER RIDGE, PHASE II A (DOC#20081202000741254) AS RECORDED AS DOCUMENT NUMBER 20120430000261870 IN THE PROBATE RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER (THE WESTERNMOST CORNER) OF SAID LOT 139; THENCE, ALONG THE NORTH BOUNDARY OF SAID LOT, NORTH 68 DEGREES 55 MINUTES 31 SECONDS EAST 42.94 FEET; THENCE, INTO SAID LOT, SOUTH 19 DEGREES 32 MINUTES 05 SECONDS EAST 7.50 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE, FROM THE POINT OF BEGINNING, CONTINUE INTO SAID LOT 139, NORTH 68 DEGREES 55 MINUTES 25 SECONDS EAST 19.89 FEET TO THE INTERSECTION OF THE EASTERLY BOUNDARY OF AN EXISTING 100-FOOT UTILITY AND DRAINAGE EASEMENT AND THE SOUTHEASTERLY BOUNDARY OF AN EXISTING 7.5-FOOT UTILITY AND DRAINAGE EASEMENT; THENCE, ALONG THE EASTERLY BOUNDARY OF THE 100-FOOT U. & D. EASEMENT, SOUTH 52 DEGREES 42 MINUTES 35 SECONDS EAST 57.99 FEET AND SOUTH 06 DEGREES 03 MINUTES 29 SECONDS WEST 58.88 FEET TO THE NORTHERLY BOUNDARY OF AN EXISTING 5-FOOT U. & D. EASEMENT WHICH LIES ALONG THE REAR OF SAID LOT 139; THENCE NORTH 59 DEGREES 33 MINUTES 51 SECONDS WEST 10.51 FEET; THENCE NORTH 49 DEGREES 11 MINUTES 23 SECONDS WEST 39.26 FEET; THENCE, NORTH 19 DEGREES 32 MINUTES 05 SECONDS WEST 58.95 FEET TO THE POINT OF BEGINNING, CONTAINING 3281 SQUARE FEET, MORE OR LESS.

and,

ALL THAT PART OF LOT 167 OF RIVER RIDGE PHASE IV, A RESUBDIVISION OF TRACT C OF RIVER RIDGE, PHASE III (DOC#20100429000218400), A RESUBDIVISION OF TRACT B OF RIVER RIDGE, PHASE II A (DOC#20081202000741254) AS RECORDED AS DOCUMENT NUMBER 20120430000261870 IN THE PROBATE RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHERNMOST CORNER OF SAID LOT 167; THENCE, ALONG THE NORTHWESTERLY

BOUNDARY OF SAID LOT, SOUTH 48 DEGREES 14 MINUTES 36 SECONDS WEST 10.08 FEET; THENCE, INTO SAID LOT, SOUTH 48 DEGREES 48 MINUTES 55 SECONDS EAST 5.04 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE, FROM THE POINT OF BEGINNING, CONTINUE INTO SAID LOT 167, ALONG A LINE 10 FEET INSIDE THE REAR LOT LINE, SOUTH 48 DEGREES 48 MINUTES 55 SECONDS EAST 114.08 FEET; THENCE, CONTINUE INTO SAID LOT, ALONG A LINE 10 FEET INSIDE THE EAST LOT LINE, SOUTH 08 DEGREES 59 MINUTES 22 SECONDS WEST 21.91 FEET TO THE SOUTHERLY BOUNDARY OF AN EXISTING 100-FOOT U. & D. EASEMENT; THENCE, ALONG SAID EASEMENT, NORTH 58 DEGREES 10 MINUTES 07 SECONDS WEST 132.47 FEET TO THE INTERSECTION OF SAID EASEMENT WITH THE SOUTHEASTERLY BOUNDARY OF A 5-FOOT U. & D. EASEMENT WHICH LIES ALONG THE NORTHWESTERLY LOT LINE; THENCE NORTH 48 DEGREE 14 MINUTES 36 SECONDS EAST 40.37 FEET TO THE POINT OF BEGINNING, CONTAINING 3623 SQUARE FEET, MORE OR LESS.

and,

ALL THAT PART OF LOT 168 OF RIVER RIDGE PHASE IV, A RESUBDIVISION OF TRACT C OF RIVER RIDGE, PHASE III (DOC#20100429000218400), A RESUBDIVISION OF TRACT B OF RIVER RIDGE, PHASE II A (DOC#20081202000741254) AS RECORDED AS DOCUMENT NUMBER 20120430000261870 IN THE PROBATE RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER (THE NORTHERNMOST CORNER) OF SAID LOT 168; THENCE, ALONG THE WEST BOUNDARY OF SAID LOT, SOUTH 01 DEGREE 08 MINUTES 44 SECONDS EAST 13.53 FEET; THENCE, INTO SAID LOT, SOUTH 48 DEGREES 48 MINUTES 55 SECONDS EAST 6.76 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE, FROM THE POINT OF BEGINNING, CONTINUE INTO SAID LOT 168, ALONG A LINE 10 FEET INSIDE THE REAR LOT LINE, SOUTH 48 DEGREES 48 MINUTES 55 SECONDS EAST 178.71 FEET; THENCE, CONTINUE INTO SAID LOT, ALONG A LINE 5 FEET INSIDE THE SOUTHEASTERLY LOT LINE, SOUTH 48 DEGREES 14 MINUTES 36 SECONDS WEST 42.08 FEET TO THE SOUTHWESTERLY BOUNDARY OF AN EXISTING 100-FOOT U. & D. EASEMENT; THENCE, ALONG SAID EASEMENT, NORTH 58 DEGREES 10 MINUTES 07 SECONDS WEST 100.17 FEET, NORTH 06 DEGREES 03 MINUTES 29 SECONDS EAST 65.80 FEET, AND NORTH 52 DEGREES 42 MINUTES 35 SECONDS WEST 31.14 FEET TO THE INTERSECTION OF SAID EASEMENT WITH THE EAST BOUNDARY OF A 5-FOOT U. & D. EASEMENT WHICH LIES ALONG THE WEST LOT LINE; THENCE NORTH 01 DEGREE 08 MINUTES 44 SECONDS WEST 8.57 FEET TO THE POINT OF BEGINNING, CONTAINING 6402 SQUARE FEET, MORE OR LESS.

and,

ALL THAT PART OF LOT 169 OF RIVER RIDGE PHASE IV, A RESUBDIVISION OF TRACT C OF RIVER RIDGE, PHASE III (DOC#20100429000218400), A RESUBDIVISION OF TRACT B OF RIVER RIDGE, PHASE II A (DOC#20081202000741254) AS RECORDED AS DOCUMENT NUMBER 20120430000261870 IN THE PROBATE RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 169; THENCE, ALONG THE EAST BOUNDARY OF SAID LOT, SOUTH 01 DEGREE 08 MINUTES 44 SECONDS EAST 13.53 FEET; THENCE, INTO SAID LOT, NORTH 48 DEGREES 48 MINUTES 55 SECONDS WEST 6.76 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE, FROM THE POINT OF BEGINNING, CONTINUE INTO SAID LOT 169, SOUTH 01 DEGREE 08 MINUTES 44 SECONDS EAST 9.75 FEET TO THE INTERSECTION OF THE SOUTHWESTERLY BOUNDARY OF AN EXISTING 100-FOOT UTILITY AND DRAINAGE EASEMENT AND THE WEST BOUNDARY OF AN EXISTING 5-FOOT UTILITY AND DRAINAGE EASEMENT; THENCE, ALONG THE SOUTHWESTERLY BOUNDARY OF THE 100-FOOT U. & D. EASEMENT, NORTH 52 DEGREES 42 MINUTES 35 SECONDS WEST 46.26 FEET TO THE SOUTHEASTERLY BOUNDARY OF AN EXISTING 10-FOOT U. & D. EASEMENT WHICH LIES ALONG THE REAR OF SAID LOT 169; THENCE NORTH 37 DEGREES 17 MINUTES 25 SECONDS EAST 10.37 FEET; THENCE SOUTH 48 DEGREES 48 MINUTES 55 SECONDS EAST 40.30 FEET TO THE POINT OF BEGINNING, CONTAINING 385 SQUARE FEET, MORE OR LESS.

TO HAVE AND TO HOLD unto the said Grantee, his successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, on this the 26 day of July, 2012.

ATTEST:

CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: _____
Charles E. Hagood, Clerk-Treasurer

By: _____
Tommy Battle, Mayor

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that TOMMY BATTLE and CHARLES E. HAGOOD, whose names as Mayor and Clerk-Treasurer, respectively, of the CITY OF HUNTSVILLE, ALABAMA, a municipal corporation are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this the 26th day of July, 2012.

Notary Public
My Commission Expires: _____

This instrument was prepared by:
JAMES G. HARRISON
HARRISON, GAMMONS & RAWLINSON, P.C.
2430 L&N Drive
Huntsville, AL 35801
1-256-533-7711

Ordinance No. 12-_____ (Cont.)
Northbrook, LLC

ADOPTED this the 26th day of July, 2012.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 26th day of July, 2012.

Mayor of the City of
Huntsville, Alabama